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PATENT  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Calmer, Marion

Serial No.: 09/827,563

Filed: 04/06/2001

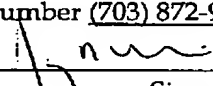
For: Strategic Spatial Realignment for  
Attaching Cornheads to Combines)

Examiner: Mammen, Nathan S.

Art Unit: 3671

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1. Transmittal Form
2. Notice of Appeal
3. Petition for Extension of time (2 months) 2- copies
4. Form 2038
5. After Final rejection - Amendment (7 pages)

Total Pages Sent by Fax 13 (including this page)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/827,563
	Filing Date	04/06/2001
	First Named Inventor	Marion Calmer
	Art Unit	3671
	Examiner Name	Nathan Scott Mammen
Total Number of Pages in This Submission	Attorney Docket Number	P3098

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC)
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<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
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<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Enclosed is a notice of appeal and petition for a 2 month extension of time.	
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Serial No.: 09/827,563	)	
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Filed: 04/06/2001	)	Art Unit: 3671
	)	
For: Strategic Spatial Realignment for	)	
Attaching Cornheads to Combines)	)	

Sir:

This amendment is in response to the Advisory Office Action mailed March 8, 2005. In the advisory action, the examiner states that subject matter previously thought allowable and as found in claims 16-24 was not properly supported by the original disclosure under 35 U.S.C. 112, 1<sup>st</sup> paragraph. More particularly, the examiner does not find in applicant's original disclosure teaching for the width of the area from the 2<sup>nd</sup> conveyor to the 3<sup>rd</sup> conveyor as described and claimed by the applicant in claims 16-24.

Applicant argues that he has indeed taught the width of the area from the second conveyor to the third conveyor and the claims 16-24 as previously submitted are both allowable and supported by the original disclosure. It is well understood from applicant's description that the combine head receives and is engaged with the combine harvester at the inlet to the feeder house. Upon engagement of the combine head with the combine harvester, the auger trough outlet and the combine feeder house provide an area of engagement that is a continuous channel or space for the flow of harvested

material between the corn head and to the combine during operation of the combine harvester. Applicant's description, as emphasized below, provides that width of the area of engagement between the outlet of the auger trough and the inlet of the feeder house is to be both opposite and complimentary as described below:

**The auger trough 200 has its vertical rear side removed when it is opposite the feeder house 340 and the feeder house chain 320.**

According to Webster's Ninth New Collegiate Dictionary opposite may be defined as: **being the other of a pair that are corresponding or complementary in position, function, or nature (i.e. member of the opposite sex).**

In this case, the removal of the rear vertical side of the auger trough 200 also describes the auger trough 200 outlet which is engaged or opposite to the entrance to the feeder house 340. Applicant argues that width of the cross auger trough outlet was specified by removal of the vertical rear side or wall when opposite the feeder house 340 and feeder house opening thus teaching that the outlet of the cross auger trough 200 and the inlet to the feeder house 340 are substantially the same width.

#### REMARKS

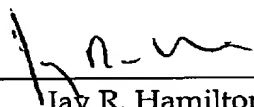
Applicant submits that the application as now presented is believed in condition for allowance and action to that request is respectfully requested. Applicant requests that the examiner allow the claims previously submitted claims and allow the application to issue.

Respectfully submitted,

MARION CALMER,

Date: March 21, 2005

By

  
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